#19

S

FILE No. 88 of 03 Memo 23

SERIAL No. 4 Extract from to

Hanagunda Reddi, late Collector of the Chitaldroog Taluk, praying for his restoration to his appointment with arrears of pay. (Petition 3820/10.03)

2941
L.7.3.03-96 3/2/04
Petition

— — —

Petitioner is informed that Govt. decline to do anything in the question to interfere with the orders of the Revenue Court in dismissing his appeal. The enclosures to his petition are herewith returned.

By order

Secretary

5.II.04

2942
3/2/04 L.7.3.03-96 3/2/04
Petition with file of Revenue Court and copies of Registered Parcel.

Memo 23 30/1/04
Copy forwarded to the Deputy Commissioner, Kolar for information

G. R. S. 59] GPB—15,000—22-7-14

GENERAL AND REVENUE SECRETARIAT.

1913 (municipal) P19

**File No.88**

**Serial Nos. 1—4**

B

~~**Papers Filed.**~~

*Month* Feb 04

SUBJECT.

Appeal of Narayan Reddy, late Collector of the Chintamani Taluk for his restoration to his post.

PREVIOUS REFERENCES.

Ordered
K Rangaswamy

LATER REFERENCES.

Communicated
RSV

Gl of Rev. Secretariat.

Office of the Durbar of Mysore.

File No. [illegible])

*Directions.*

No., date and purport of receipts to be entered in red, and office note in black ink in order of dates.—To be written only on one side, and inside the line of margin.

Office Note.

Branch Local Boards Branch

Section [illegible]

File No. 88 of 03

Serial No.

Subject

Petition no 382 dy 10-8-03, from Narain Raddi. Late Gollar of Bhintamani Taluk praying for the restoration to his post.

—o—

1. Prior to 1900 the petitioner held the post of a Gollar in the Taluk Kutcherry of Bhintamani. As he was implicated in the Cetroi Revenue Embezzlement case of Bhintamane, the Dy Comr. Kolar District placed the petitioner under Suspension and ordered his prosecution.

2. The Gollar was tried by the General Assistant Commissioner & 1st Class Magistrate & found guilty under Section 408 of the Indian Penal Code & fined Rs 50

3. But ~~both~~ the conviction /

was set aside by the Chief Court and the fine remitted.

4. The petitioner now prays not only for his restoration to the post he held under Government, but also claims all his pay from the date of his suspension up to date.

5. In reply to his appeal on 1901 the petitioner was informed that he should prove his innocence before the Court where he might be tried.

6. May the petition be forwarded to the President for report?

Submitted for orders. of Secty-
org 31/8/03. Resident Kistna
Ramam

31/8/03.

& O.
3.9.03
2.9.

1/9/03

As called for in this Office
Memo No 1207 dt 15.9.03 the
DJ Comr, Kistna District submits
his report with records in the case.

The Petitioner was dismissed
the Service as he was found, by

Reg A
No 3076/2914 dt 19.1.04

Encl to D. Cruso
letter para 4.

by departmental enquiry 3 finds
of gross misconduct and mis-
appropriation of Municipal funds,
The Petitioner's prayer to the
Revenue Comr in support for
being restored to his appointment
was rejected by the Revenue
Commissioner Besides Govt,
in their Order No 33357 of the
DR 303-96
9th Sept 1902 presumed that
the petitioner had been dis-
missed the Service.

Encl to D. Cruso
letter

Hap B
para 4

Submitted for orders as
to whether the petitioner may
be informed that Govt decline
to interfere with the orders
of the Revenue Comr. (with draft)

30/11/04

30/11/04

The Director

56 11
1.2.04.

157

1903 L4064

No. 382

Name of Petitioner Narain Reddi Late Cyclist of Chintamani taluk now residing in

Village Sreenivasapura

Taluk

District Kolar

Date of Arzi 10-8-03

Date of Receipt 11-8-03

Date of Disposal

No. of Enclosure 6

To D.C. Kolar Rc 1427/15/8/03

ABSTRACT

Complaint against the Revenue Bonds in document No 645 dt 6/8/03 which runs as follows:—

"Gover appeal petition dt 5/2/03 complaining that the Bonds Holder District removed him from the appointment, requesting stating that he was connected with some defalcation in the affairs of revenue of the Chintamani taluk Munsiffship and the Bonds enquiry report & records pertaining regarding the matter were handed to their owners requests to interfere with the matter the appeal is rejected & petition returned."

Petitioner submits as follows:—

That the petitioner was unjustly

MGCPB—5,000—10-11-03

prosecuted and punishment awarded by the Lower Courts; that the Chief Commissioner receiving all the papers connected with the case from Lower Court and examining them cancelled the Lower Court's Judgment and declared that the petitioner was guilty; that the petitioner procuring obtaining the copy of the above requested the Dy Comm to punish the persons but nothing was done; that on appeal to the Revenue Board same behalf was affected; that the Superintendent has given receipts for the amount received.

Prays that the depositions of witnesses given in the Criminal Court and by Arunachalam Pillay Greenwashers deposition and all the papers enclosed herein may kindly be perused, that order be issued to disburse the salary from the date of this suspension up to date and that the petitioner be well remunerated.

The following are enclosed

1 Copy of Chief Comm's order
1 " of Govt letter No 1704-2014 dt 2/6/801
1 Jamabandi endorsement No of the above
1 Revenue Board's endorsement No 665 dt 6/8/03
1 Copy of Dy Comm No 75 dt 30/11/96
1 " of Presidents No 157-70 dt 22-10-97
1 " of Dr — 43 dt 5/4/97
1 " of Govt Asst Comm Kolar Proceedings No 261 dt 6/9/1900

6

14/8/03

3

382

8 enclosures

ਸਰਦੂ ਪੁਤਰ ਮੰਗਲ ਸਿੰਘ ਕੌਮ ਜੱਟ ਸਕੂ ਦਰਖਾਸਤ ਹਾਜਰ ਕਰਕੇ ਬਿਆਨ ਕੀਤਾ ਕਿ
ਮੁਦਈ ਨੇ ਮੇਰੇ ਖਿਲਾਫ ਦਾਵਾ ਕਰਕੇ ਮੇਰੇ ਪਾਸੋਂ ਮੁਆਵਜਾ ਮੰਗਿਆ ਹੈ

2 ਦਾਵਾ ਮੁਦਈ ਦੇ ਹੱਕ ਵਿਚ ਹੋਇਆ ਹੈ ਅਤੇ ਮੁਦਈ ਨੇ ਡਿਕਰੀ ਦਾ ਰੁਪਇਆ
ਹਾਸਲ ਕਰਨ ਲਈ ਮੇਰੇ ਖਿਲਾਫ ਇਜਰਾ ਦਾਇਰ ਕੀਤਾ ਹੈ ਅਤੇ ਮੇਰੀ ਜਾਇਦਾਦ
ਕੁਰਕ ਕਰਵਾਈ ਹੈ ਮੈਂ ਇਸ ਡਿਕਰੀ ਦੇ ਖਿਲਾਫ ਅਪੀਲ ਦਾਇਰ ਕੀਤੀ ਹੈ ਅਤੇ
ਅਪੀਲ ਵਿਚ ਮੈਂ ਇਸ ਡਿਕਰੀ ਦੇ ਅਮਲ ਦਰਆਮਦ ਹੋਣ ਤੇ ਰੋਕ ਲਗਵਾਈ ਹੈ
ਇਸ ਕਰਕੇ ਮੁਦਈ ਨੂੰ ਡਿਕਰੀ ਦਾ ਰੁਪਇਆ ਹਾਸਲ ਕਰਨ ਦਾ ਕੋਈ ਹੱਕ ਨਹੀਂ ਹੈ
ਮੁਕੱਦਮਾ ਮੁਆਵਜਾ ਡਿਕਰੀ ਕਰਵਾਉਣ ਵਾਸਤੇ 1704 - 2014 ਦੀ ਦਾਇਰ ਕੀਤਾ ਹੈ
2-5-901
ਹੁਣ ਮੁਆਵਜੇ ਲਈ ਮੁਕੱਦਮਾ ਦਾਇਰ ਕੀਤਾ ਹੈ

3 ਮੈਂ ਇਸ ਮੁਕੱਦਮੇ ਵਿਚ ਕਿਸੇ ਤਰ੍ਹਾਂ ਦਾ ਹਰਜਾ ਨਹੀਂ ਦੇਣਾ ਚਾਹੁੰਦਾ ਮੈਂ
ਦਾਵਾ ਮੁਦਈ ਨੂੰ ਨੁਕਸਾਨ ਪਹੁੰਚਾਉਣ ਦੀ ਨੀਅਤ ਨਾਲ ਨਹੀਂ ਕੀਤਾ ਸਗੋਂ ਮੈਂ
ਆਪਣੇ ਹੱਕ ਦੀ ਰਖਿਆ ਕਰਨ ਵਾਸਤੇ ਕੀਤਾ ਹੈ ਮੈਂ ਮੁਦਈ ਨੂੰ ਕੋਈ ਨੁਕਸਾਨ
ਨਹੀਂ ਪਹੁੰਚਾਇਆ ਮੁਦਈ ਨੂੰ ਕੋਈ ਨੁਕਸਾਨ ਪਹੁੰਚਾਉਣ ਦਾ ਮੇਰਾ ਕੋਈ ਮਤਲਬ
ਨਹੀਂ ਸੀ ਮੈਂ ਮੁਦਈ ਦੇ ਖਿਲਾਫ ਕੋਈ ਗਲਤ ਕੰਮ ਨਹੀਂ ਕੀਤਾ ਮੈਂ ਮੁਦਈ ਦੇ
ਖਿਲਾਫ ਕੋਈ ਸਾਜਸ਼ ਨਹੀਂ ਕੀਤੀ ਮੈਂ ਮੁਦਈ ਦੇ ਖਿਲਾਫ ਕੋਈ ਝੂਠੀ ਗਵਾਹੀ
ਨਹੀਂ ਦਿਤੀ ਮੈਂ ਮੁਦਈ ਦੇ ਖਿਲਾਫ ਕੋਈ ਝੂਠਾ ਸਬੂਤ ਨਹੀਂ ਦਿਤਾ ਮੈਂ ਮੁਦਈ
ਦੇ ਖਿਲਾਫ ਕੋਈ ਝੂਠਾ ਸਬੂਤ ਨਹੀਂ ਬਣਾਇਆ ਮੈਂ ਮੁਦਈ ਦੇ ਖਿਲਾਫ ਕੋਈ ਝੂਠਾ
ਸਬੂਤ ਨਹੀਂ ਬਣਾਇਆ ਮੈਂ ਮੁਦਈ ਦੇ ਖਿਲਾਫ ਕੋਈ ਝੂਠਾ ਸਬੂਤ ਨਹੀਂ ਬਣਾਇਆ
ਮੈਂ ਮੁਦਈ ਦੇ ਖਿਲਾਫ ਕੋਈ ਝੂਠਾ ਸਬੂਤ ਨਹੀਂ ਬਣਾਇਆ ਮੈਂ ਮੁਦਈ ਦੇ ਖਿਲਾਫ
ਕੋਈ ਝੂਠਾ ਸਬੂਤ ਨਹੀਂ ਬਣਾਇਆ ਮੈਂ ਮੁਦਈ ਦੇ ਖਿਲਾਫ ਕੋਈ ਝੂਠਾ ਸਬੂਤ
ਨਹੀਂ ਬਣਾਇਆ ਮੈਂ ਮੁਦਈ ਦੇ ਖਿਲਾਫ ਕੋਈ ਝੂਠਾ ਸਬੂਤ ਨਹੀਂ ਬਣਾਇਆ

4 ਮੈਂ ਅਦਾਲਤ ਨੂੰ ਬੇਨਤੀ ਕਰਦਾ ਹਾਂ ਕਿ ਮੁਦਈ ਦਾ ਦਾਵਾ ਖਾਰਜ
ਕਰਕੇ ਮੈਨੂੰ ਮੁਦਈ ਪਾਸੋਂ ਖਰਚਾ ਅਤੇ ਹਰਜਾਨਾ ਦਿਵਾਇਆ ਜਾਵੇ
ਜੋ ਅਦਾਲਤ ਠੀਕ ਸਮਝੇ ਰੁਪਏ 645 ਦੀ ਦਾਇਰ ਕੀਤਾ ਹੈ ਮੁਕੱਦਮਾ
8-8-03
ਮੁਕੱਦਮਾ ਦੀ ਪੈਰਵੀ ਲਈ ਵਕੀਲ ਕਰਨ ਦਾ ਇਰਾਦਾ ਹੈ

5 [illegible]

6 [illegible]

(1) [illegible]

(2) [illegible]

(3) [illegible]

(4) [illegible]

(5) [illegible]

7

75

167-70

113

261

10-8-03

7

MYSORE DEWA FFICE,

LOCAL BOARDS BRANCH.

SECTION Revenue

FILE No. 880/03

SERIAL No. 2

OFFICIAL MEMORANDUM.

The accompanying Appeal Petition Registered No. 382 ...dated 10th Aug. 190 received at the Dewan's Office from Narain Radde. Late Gollar Chintamani Talug; praying for his restoration to the post he held under Govt. and claiming his pay from the date of his suspension upto to date is forwarded, together with its eight enclosures to the Deputy Comr. Kolar district for report.

Ro 1207 8/5/1903
L.F. 303-96
Rep: with the 8 enclosures to the President:

This draft need not have been sent upto me-
12/9

By Order,

12/9/03
Secretary.

BANGALORE, 190

7/9/03

MGCPB—21-7-02—500.

SECTION 2

FILE No. 8076 K 3

SERIAL No. 3

1903 - 04

From The E. L. Land Agt.
Deputy Commissioner
Kolar District
To The Manjunadh Agt.
Secretary to the Government
Revenue & Genl. Depts.

Dated 19th January 1904

Despatched 20

Received

General No. 8076

No. 294

Enclosure No. 11 & 18 Nil

Forwarding copy of this office letter No. 1536 addressed to the Revenue Commissioner with endorsement regarding the petition of Narayana Reddi late Patel of Chintamani Taluk

21.1.04

Ex R
Dy 24/1
Rec'd
23.1.04

1

Deputy Commissioners Office
Kolar District
Dated 19th January 1904

From

W. E. C. Lawe Esquire
Deputy Commissioner
Kolar District

To

M. V. Narzinadiah Esquire
Secretary to the Government
of Mysore, Revenue and
General Departments

Sir,

With reference to your Official Memorandum No. 1207 dated 13th September 1903 (C. D. 72-03 303-96) forwarding for report petition from Narayana Reddi late Gollar of Chikkamanni Taluk praying for his restoration to the post I have the honor to forward herewith copy of my report No. C 1534 dated 29th April 1903 to the Revenue Commissioner together with his No. 646 dated 6th August 1903, forwarding copy of endorsement given to the petitioner which give full facts of the case.

2

2/ The entire Vernacular reports together with the enclosures of your memo under reply are also herewith forwarded.

I have the honor to be,

Sir,

your most obedient Servant.

[illegible]

for Deputy Commissioner

Kolar District

[illegible]

వెల్లకుండు శీనివయు శీనివాస్సా కమి 11 ప్లీనర్
సాంజీ ఈరయ్యా ఆళ్ళీ సి నింద - - - -
పిటి [illegible] ప్లీనర్
నా రాయుయు గారడ్డిగే గ్నాం డారజు దుప్పం.

పిం కామని ముని నిపత్తోనీసం
మంద్రవప్పే ఆ క్ష్మాయి వజుంలళీలవదస్మాశీల
వు అత్రీవుగళు నడిసిరుక్కానేందు రేంగాలంరదా
డిం రేప్పుంతిశమించ్చినరు నిన్నున్న కేలజిదించా-
నిపత్తక్షి మూ తిరువదు అన్నాయువేండు రికారరు పే
రి శీంలనీయిందా - నాంకరియున్న వావిజ్ రేంగి వి
కేంరబ్లీకేందు వశ్యేరీ - సుజరాయి నిశ్శింర 1903నే
ఫ్రీబ్రువరి 6నేల వుచ్చుమిన నిన్న ఆ ప్లీలు లరిజీయ
న్నూ ఈవిషయుదస్మాంరేప్పించ్చిశించ్చినరిందా రికారు
నిని బరమూ రిశ్శింర రిశేంపర్ప్పన్న జడా మీరాంవు
రిసిలాయ్యు. డిప్టీశరిమించ్చినరు మూ తిరువ ఆ
రర్ధరనవిషయుదస్మాం ప్రువశిట్లీలు రక్ష్మ కారణాంగళు
ఇన్నువాద్దరిందా - నిన్నుఆ ప్లీలన్న శిరప్ప్మ లిసిరు
గ్నో రి శ్లాయువదు బరాలిసా ఆగస్టు 1903 రోజ్ది
బేంగళూరు.

/Signed/ V. P. Madhavarao
Revenue Commissioner

No: 646 Enclosures
dt 6.8.03 sent separately.

Memo.

Copy of the above is forwarded to the Deputy Commissioner, Kolar District, for information with reference to his letter No 1534, dated 29th April 1903.

The records are herewith returned.

/sd/ G. Aravamudiengar
for Revenue Commissioner.

"Copy"

M Mackenzie
Commissioner

C: No 1534

1902-1903

From

T. E. Kendall Esquire
Deputy Commissioner
Kolar District

To,

V. P. Madhava Rao Esquire
Revenue Commissioner
in Mysore.

Dated 29th April 1903
Encl: 294 bundles of records

Sir,

With reference to your official memorandum No 1248 dated 10th February 1903 forwarding for report the petition from Narayana Reddi, late Collor in the Chintamani Taluk, appealing against the order of the Deputy Commissioner declining to restore him to his post, I have the honor to state as follows

2/ On receipt of a petition complaining that octroi duty collected in Chintamani Municipality was not being brought into account, that the petitioner

petitioner and others were dividing the income among themselves, the Assistant Commissioner incharge of the Salem held some preliminary enquiries and reported against the petitioner. The petitioner was suspended, and the Assistant Commissioner was requested to scrutinize thoroughly the Salem octroi accounts.

3/ The late Assistant Commissioner Mr. Gopala Iyengar compared the duplicate receipts produced in the Salem cutchery by the merchants with the octroi Registers and their account books He found that a sum of Rs 238-6-5 had been misappropriated; that in some cases the total Value upon which the duty was leviable had been altered and the figures, showing the amounts of duty paid, had been tampered with, thereby showing that correct amounts entered in the first

instance

instance, were subsequently altered. the difference being misappropriated and that in other cases the amount recovered had been omitted wholly or partly from being brought into account. After taking explanation from the parties concerned, the late Mr. Gopala Iyengar concluded that the petitioner (Gollar Narayana Reddi) was the person primarily responsible in the transaction, and that the higher Taluk officials had also failed to exercise due control over him (Vide Assistant Commissioner's letter No. 221 dated 8th January 1901) in the enclosed file)

4 After going through the proceedings of the case, I found that the Sheristidar, the Head Gumasta, and the Gollar (the petitioner) were actually in charge of the work; that from the way in which the matters had been altered, it was certain that the Gollar had taken advantage of the confidence placed in him by the Sheristidar, and

the

the latter's failure to exercise even the ordinary supervision required of him, allowed opportunity to the petitioner to gradually increase the sizes of misappropriation, and that the laxity on the part of the Saheb Sheristedar was not noticed by the then Amildar yellow Srinivasa Rao now Assistant in the Survey superintendent's office. Under these circumstances I confirmed the order of suspension of the petitioner, and directed him to be criminally prose-cuted under section 408 I. P. C. I fined the Sheristedar and the Head Gumasta each Rs 50/- and trans-ferred the former to Chickballapur Taluk. I also called upon the Amildar yellow Srinivasa Rao to show cause why he should not be called upon to pay Rs 100/- towards the recoup-ment of the amount lost by the Municipality (Vide my order No. 878 dated 12th February 1901)

5 At the petitioner's representation

I directed proceedings to be stayed pending the result of his appeal to Government. But as the Government did not wish to interfere in the matter, I directed the Assistant Commissioner and 1st class Magistrate Mr. C. Krishna Rao to proceed with the prosecution.

6 The petitioner was accordingly tried by Mr. Krishna Rao on a charge of misappropriating 3 items of octroi revenue amounting to Rs 3-13-3 and was sentenced to pay a fine of Rs 50/- (Vide judgment of Mr. C. Krishna Rao filed in the records) This conviction was however most unfortunately reversed by the Chief Court.

7 Thereupon the petitioner applied for restoration to his appointment Mr. Syed Amir Hassan Saib the acting Deputy Commissioner informed the petitioner by an endorsement

on

on 13th. 1903 that though he had been acquitted in the Chief Court, still there were no sufficient grounds to restore him to his post.

8 It is against this order that the petitioner Narayana Reddi has appealed to Revenue Commissioner

9 As far as departmental enquiry is concerned, there cannot be a shadow of doubt that the petitioner was guilty of gross misconduct and misappropriation of municipal funds. It will be seen from paras 11, 14 & 15 of the late Mr. Gopala Iyengar's report No. 221 dated 8th January 1901 referred to that the petitioner abused the confidence placed on him; that alterations and erasures, made in the duplicate invoices were the work of the petitioner as the ink used and shape of the figures were identical with those used by the petitioner ordinarily; and that the petitioners acts from first to last were wholly

dishonest

dishonest. Moreover in their proceedings
No. 3335-7 dated 9th September
L. F. 303-96
1902, Government passed an order
in the matter of inflicting punish-
-ment upon the petitioner on the
presumption that the petitioner had
already been dismissed from the service
copy of the said proceedings is enclosed
herein for ready reference.

10 The entire records connected
with the subject together with the
enclosures of the memo under reply
are herewith submitted.

I have &c
"Sd" J C. Law
Deputy Commissioner
Kolar Dt

"Copy

[illegible]
for Deputy Commissioner
Kolar District

19

S

FILE No. 88 of 03

SERIAL No. 4

Memo 23

Ent Granted to Hanagunda Reddi late Gollar of the Chittanuru Taluk, praying for his restoration to his appointment with arrears of pay. (Petn no 3820/10.04)

2941 / L.7.3.03-96 9/12/04

Petitioner is informed that Govt cannot do anything in question to interfere with the orders of the Revenue Court in rejecting his appeal.

The enclosures to his petn are herewith returned.

By order

Secretary

Memo 23 / 20/1/04

Copy forwarded to the Deputy Comr, Kolar for info

2942 / L.7.3.03-96 9/12/04

Memo 23 / 20/1/04

Copy forwarded to the Deputy Comr, Kolar for info